
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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|--------------------------|---|--------------------|
| UNITED STATES OF AMERICA | : | CRIMINAL COMPLAINT |
| | : | |
| v. | : | |
| | : | |
| JAVIER NUNEZ and | : | Mag. No. 07-7045 |
| MARIA ROSA | : | |

I, Thomas J. Coyle, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

From in or about January 2006 to in or about May 2006, in Passaic County, in the District of New Jersey and elsewhere, defendants

JAVIER NUNEZ and
MARIA ROSA

did knowingly and willfully conspire with each other and others to corruptly solicit and demand and accept and agree to accept things of value, namely, cash payments, with the intent to be influenced and rewarded in connection with a business, transaction, or series of transactions of a local government or agency involving a thing of value of \$5,000 or more, where the government or agency received in a one-year period in excess of \$10,000 in federal funds, contrary to Title 18, United States Code, Sections 666(a)(1)(B).

In violation of Title 18, United States Code, Section 371.

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

Thomas J. Coyle, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
March 23, 2007, at Newark, New Jersey

HONORABLE ESTHER SALAS
UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

ATTACHMENT A

I, Thomas J. Coyle, a Special Agent with the Federal Bureau of Investigation (“FBI”), am aware of the following facts as a result of my investigation and after having spoken with other law enforcement officials:

1. At all times relevant to this Complaint, defendants JAVIER NUNEZ and MARIA ROSA were employed by the Housing Authority of the City of Paterson in Paterson, New Jersey (the “Housing Authority”). As employees of the Housing Authority, defendants NUNEZ and ROSA participated in the administration of the Housing Authority’s Section 8 housing program by helping to identify eligible residential properties for program participants and coordinating the payment of Section 8 housing subsidies to the landlords of those properties.

2. At all times relevant to this Complaint, a cooperating witness, “C.W.,” was an individual who was known in Paterson to be engaged in the real estate business. Specifically, C.W. was known to be an individual who helped buyers to purchase various residential properties in Paterson. C.W. then “managed” these properties for the buyers by renting them to recipients of Section 8 housing benefits. CW retained the rent payments for the properties, which exceeded \$5,000 per year.

3. From in or about January 2006 to in or about May 2006, defendants JAVIER NUNEZ and MARIA ROSA agreed with each other and others to solicit and accept corrupt payments from C.W. in exchange for the performance of their official duties as Housing Authority employees. Defendants NUNEZ and ROSA agreed to accept cash and other payments from C.W. for, among other things, placing Section 8 participants in rental apartments defendants NUNEZ and ROSA believed to be owned and/or managed by C.W. and expediting C.W.’s receipt of Section 8 housing subsidies received in connection with these rentals.

4. On or about January 6, 2006, defendant JAVIER NUNEZ met with C.W. in Paterson, New Jersey. This meeting was consensually monitored and recorded by the FBI and the U.S. Department of Housing and Urban Development, Office of the Inspector General (“HUD OIG”). At the meeting, defendant NUNEZ personally delivered to C.W. various Section 8 subsidy checks issued in connection with rentals of apartments managed by C.W. Defendant NUNEZ and C.W. discussed how much defendant NUNEZ expected to be paid for his services; however, no figure was arrived at.

5. On or about February 1, 2006, defendants JAVIER NUNEZ and MARIA ROSA met with C.W. in Paterson. This meeting was consensually monitored and recorded by the FBI and HUD OIG. At the meeting, defendant NUNEZ indicated to C.W., in substance and in part, that he was aware what C.W. was doing with defendant ROSA “with the money” and that he and defendant ROSA had an agreement pursuant to

which each would share with the other any money received from C.W. C.W. informed defendant ROSA that C.W. had apartments that C.W. was interested in renting to Section 8 recipients. Defendant ROSA responded, in substance and in part, by requesting a list of these apartments.

6. On or about February 10, 2006, defendant MARIA ROSA met with C.W. in Paterson. This meeting was consensually monitored and recorded by the FBI and HUD OIG. At the meeting, defendant ROSA agreed to place tenants in C.W.'s apartments in exchange for a payment equivalent to one month's rent for the particular apartment rented. Defendant ROSA indicated that she did not want any money that day, but would expect payment once she had successfully rented one of C.W.'s apartments.

7. During the one-year period relevant to this Complaint, the City of Paterson Housing Authority received in excess of \$10,000 in federal funding.